



RECEIVED

MAR 12 2002

TECH CENTER 1600/2900

PATENT CASE FC0807Q1

COPY
ORIGINAL FILED

5/8 Election
0/17
2-15-02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

McShane

X

Serial No.: 09/675,938

:

Examiner: Sharareh

Filed: 09/29/2000

:

Group Art Unit: 1617

Title: FOOT AND SHOE DEODORANT

:

X

Assistant Commissioner for Patents

Washington, D.C. 20231

Sir:

Best
3-22-02

RESPONSE TO OFFICE ACTION

In response to the Office Action mailed on January 29, 2002 for the above-identified application, consideration of the appended remarks respectfully is requested. As this response is being filed within the set time period, it is not believed that any fees are due. In the event any fees are due, please charge any required extension-of-time fees to Deposit Account No. 19-0365. A duplicate copy of this sheet is enclosed.

REMARKS

On page 2 of the Office Action, the Examiner issued a 3-way restriction requirement pursuant to 35 U.S.C. § 121. The restriction divided the claims into the following allegedly independent and distinct inventions:

Group I, claims 1-10, "drawn to pressurized aerosol composition."

Group II, claims 11-16, "drawn to concentrate composition."

Group III, claims 17-20, "drawn to methods of treating foot or shoe odors."

(Id.).